

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application :

Examiner: J.P. Ouellette

Group Art Unit: 3629

Date: November 7, 2005

Serial No.: 09/808,650
Filed On: March 14, 2001
Entitled: SYSTEM AND METHOD
FOR PROVIDING PUSH-TO-TALK TO
FULL-DUPLEX VOICE
INTERNETWORKING

COMMUNICATION

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

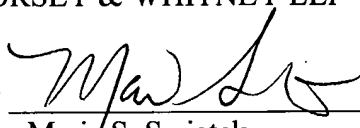
This Communication is in response to the Advisory Action before the filing of an Appeal Brief dated October 4, 2005, Applicant files herewith a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. Accompanying the Request for Continued Examination is the Amendment filed on September 7, 2005 (copy attached). Applicant respectfully request that the Amendment be entered with the RCE application.

The Commission is hereby authorized to charge our Deposit Account in case of any additional fees or credit any overpayment to our Deposit Account No. 50-2319 (Order No. A-69185/MSS (468984-2)).

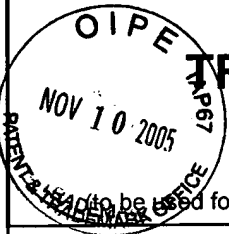
Respectfully submitted,

DORSEY & WHITNEY LLP

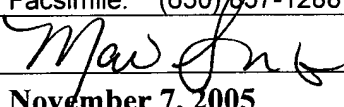
Date: November 7, 2005

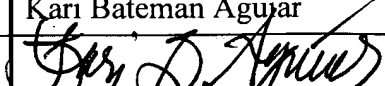
By 
Maria S. Swiatek
Reg. No. 37,244

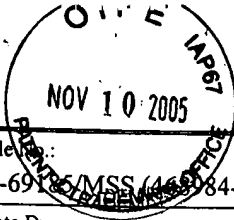
Customer No.: 32940
555 California Street, Suite 1000
San Francisco, CA 94101
Telephone: 650-857-1717
Facsimile: 650-857-1288

 TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/808,650
		Filing Date	March 14, 2001
		First Named Inventor	Jeffrey L. Peyton
		Examiner Name	Jonathan P. Ouellette
		Group Art Unit	3629
Total Number of Pages in This Submission	16	Attorney Docket No.	A-69185/MSS (468984-2)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached \$395.00	<input type="checkbox"/> Drawing(s) (Informal)-3 pgs	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply as filed on September 7, 2005	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): A copy of the Amendment filed on 09/07/05 and corresponding papers, Check no. 200035 in the amount of \$395.00 for the RCE filing fee and a self-addressed stamped Postcard.
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Supplemental Information Disclosure Statement (3 pgs.)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, No. of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Maria S. Swiatek, Reg. No. 37,244 DORSEY & WHITNEY LLP 555 California Street, Suite 1000 San Francisco, CA 94101 Telephone: (650) 857-1717 Facsimile: (650) 857-1288	Customer Number 32940
Signature		
Date	November 7, 2005	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with Sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:		
		11/07/05
Typed or printed name	Kari Bateman Aguilar	
Signature		Date November 7, 2005



in the United States Patent and Trademark Office

File No.: A-6918/MSS (468084-2)	U.S. Patent Application No. 09/808,650	Filing Date: March 14, 2001
Date Due: September 7, 2005 (3 rd Ext.)	Date Mailed: September 7, 2005	Express Mail No.:
APPLICANT: Jeffrey L. Peyton (Puppetools)		
TITLE: Puppetry based Communication System, Method and Internet Utility		
Enclosures: [x] Transmittal; [x] Fee Transmittal Sheet (2005); [x] Petition for Extension of Time (3-months); [x] Notice of Appeal; [x] Amendment response; [x] Check No. 303428 in the amount of \$760.00 (\$510 for 3 month ext. of time and \$250 for notice of appeal for small entity); [x] Certificate of Mailing; [x] Return Postcard.		Official Use Only!

ORIGINAL CHECK HAS VOID PATTERN IN BACKGROUND AND ARTIFICIAL WATERMARK ON REVERSE SIDE. DO NOT CASH IF VOID IS VISIBLE OR WATERMARK IS ABSENT.

DORSEY & WHITNEY LLP
SAN FRANCISCO ACCOUNTS PAYABLE
555 California Street
Suite 1000
San Francisco CA 94104-1513

usbank
17-2810

CHECK DATE: 09/07/05

CHECK NO: 303428

PAY SEVEN HUNDRED SIXTY AND 00/100 Dollars

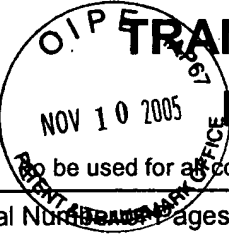
CHECK AMOUNT: \$760.00*****

TO THE ORDER OF: Commissioner of Patents and Trademarks

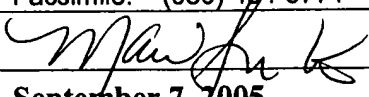
Robert S. ...


CHECK NOT VALID FOR OVER \$10,000

⑈ 303428 ⑈ ⑆ 091000022 ⑆ 104757786868 ⑈

 <p>Do not be used for all correspondence after initial filing)</p>		Application No.	09/808,650
		Filing Date	March 14, 2001
		First Named Inventor	Jeffrey L. Peyton
		Examiner Name	Ouellette, J.P. .
		Group Art Unit	3629
Total Number of Pages in This Submission	11	Attorney Docket No.	A-69185/MSS (468984-2)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached \$760.00	<input type="checkbox"/> Drawing(s) (Informal)-3 pgs	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): A check in the amount of \$760.00 for a Three-Month Petition for Extension of Time request; and a self-addressed stamped Postcard.
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Supplemental Information Disclosure Statement (3 pgs.)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, No. of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Maria S. Swiatek, Reg. No. 37,244 DORSEY & WHITNEY LLP 555 California Street, Suite 1000 San Francisco, CA 94101 Telephone: (650) 494-8700 Facsimile: (650) 494-8771	Customer Number 32940
Signature		
Date	September 7, 2005	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with Sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:		
		09/07/05
Typed or printed name	Kari Bateman	
Signature		Date September 7, 2005

Effective on 12/08/04

FEE TRANSMITTAL SHEET

(FY 2005)

NOV 10 2005

☒ Applicant claiming small entity status (see 37 C.F.R. 1.27)

METHOD OF PAYMENT (Check One)

☒ Check ☒ Credit Card ☒ Money Order

Deposit Account No.: 50-2319

Deposit Account Name: DORSEY & WHITNEY LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17☒ Credit any overpayments☒ Other (please identify):

Extra Claim Fees

Current Claims	Prior	Extra	Fee	Fee Paid
Total	20	=	x \$	= \$
Ind.	3	=	x \$	= \$
Multiple Dependent Claims		=	x \$	= \$
Subtotal (Extra Claims)				

Petition Fee Under 37 CFR 1.17(f), (g), & (h)

Enclosed is a Petition filed under 37 CFR as indicated below:

- ☒ Petition Fee under 37 CFR 1.17(f) **Fee \$400**
- § 1.53(e) to accord a filing date.
- § 1.57(a) to accord a filing date.
- § 1.182 for decision on a question not provided for.
- § 1.183 to suspend the rules.
- § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
- § 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term.

- ☒ Petition Fee under 37 CFR 1.17(g) **Fee \$200**
- § 1.12 for access to an assignment record.
- § 1.14 for access to an application.
- § 1.47 for filing by other than all inventors or person not the inventor.
- § 1.59 for expungement of information.
- § 1.103(a) to suspend action in an application.
- § 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail.
- § 1.295 for review of refusal to publish a statutory invention registration.
- § 1.296 to withdraw a req. for pub. after notice of intent to publish issued.
- § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.
- § 1.956 for request for ext. of time in *ex parte* reexam. proceedings.
- § 5.12 for expedited handling of foreign filing license.
- § 5.15 for changing the scope of a license.
- § 1.5.25 for retroactive license.

- ☒ Petition Fee under 37 CFR 1.17(h) **Fee \$130**
- § 1.19(g) to request documents in a form other than provided in this part.
- § 1.84 for accepting color drawings or photographs.
- § 1.91 for entry of a model or exhibit.
- § 1.102(d) to make an application special.
- § 1.138(c) to expressly abandon an application to avoid publication.
- § 1.313 to withdraw an application from issue.
- § 1.314 to defer issuance of a patent.

Complete if Known

Application No. 09/808,650

Filing Date March 14, 2001

First Inventor Jeffrey L. Peyton

Group Art Unit 3629

Examiner Name Ouellette, J.P.

Atty. Docket Number A-69185/MSS (468984-2)

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late nonprovisional filing fee or oath	
180	180	Submission of IDS	
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	\$510.00
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
500	250	Notice of Appeal	\$250.00
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
110	55	Terminal Disclaimer Fee	
800	400	Design Issue Fee	
1400	700	Issue Fee	
790	395	Request for Continued Examination (RCE)	
130		Request for voluntary publication or republication	
500	250	Petition to Revive - unavoidable	
1,500	750	Petition to Revive - unintentional	
200		Filing for patent term adjustment	
400		Request for reinstatement of term reduced	
1,120		Extension of term of patent	
OTHER FEE (specify)			

Subtotal (Additional Fees) \$760.00

Total Amount of Payment: \$760.00

Submitted by:

CUSTOMER NUMBER

32940

DORSEY & WHITNEY LLP

Name: Maria S. Swiatek, Esq.

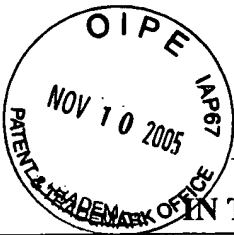
Phone No.: 650-494-8700

Fax No.: 650-494-8771

Signature:

Reg. No.: 37,244

Date: September 7, 2005



Docket No.: A-69185/MSS (468984-2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	<i>Jeffrey L. Peyton</i>	
Appln. No.:	09/808,650	
Filing Date:	March 14, 2001	Examiner: Ouellette, J.P.
Title:	Puppetry based Communication System, Method and Internet Utility	Group Art Unit: 3629

PETITION FOR EXTENSION OF PERIOD FOR RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.136(a), Applicant hereby petitions for an extension of 3-month(s) (from June 7, 2005 to September 7, 2005 within which to respond to the Office Action dated March 7, 2005. A check in the amount of \$760.00 (\$510.00 for 3 month extension fee and \$250 for notice of appeal for a large entity) is enclosed herewith to cover the extension fee. Please charge any additional fees or credit any overpayment to our Deposit Account No. 50-2319 (Order No. A-69185/MSS (468984-2)).

Respectfully submitted,
DORSEY & WHITNEY LLP

Date: September 7, 2005

By: 

Maria S. Swiatek, Reg. No. 37,244
Customer No.: 32940
555 California Street, Suite 1000
San Francisco, CA 94104
Tel: (650) 494-8700
Fax: (650) 494-8771

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

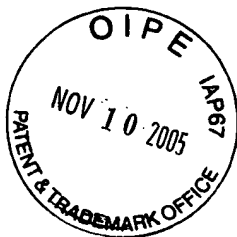
In re application of:

Jeffrey L. Peyton

Serial No. 09/808,650

Issued: **March 14, 2001**

For: **PUPPETRY BASED
COMMUNICATIONS SYSTEM,
METHOD AND INTERNET
UTILITY**



Examiner: **Ouellette, J. P.**

Art Unit: **3629**

Attorney Docket No.: **A-69185/MSS
(468984-2)**

Date: **September 7, 2005**

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

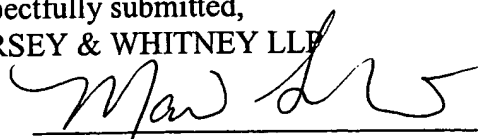
Dear Sir:

Applicant hereby appeals to the Board of Appeals from the Final Office Action mailed March 7, 2005. Applicant files herewith a Response to the Final Office Action accompanied by a three month Petition for Extension of Period for Response.

Also enclosed is our check no. 303428 in the amount of \$760.00 (\$250.00 for Appeal Fee and \$510.00 for 3 month extension fee for small entity). The Commissioner is authorized to charge any additional fees deemed necessary or credit any overpayment to Deposit Account No. 50-2319 (Order No. A-69185/MSS (468984-2)).

Respectfully submitted,
DORSEY & WHITNEY LLP

By


Maria S. Swiatek, Reg. No. 37,244

Date: September 7, 2005

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